

JUDGE JONES,

I WOULD LIKE TO REPLY TO THE GOVERNMENT'S RESPONSE TO MY MOTION FOR RECONSIDERATION OF MY REQUEST FOR COMPASSIONATE RELEASE. THE GOVERNMENT CLAIMS THAT NOT MUCH HAS CHANGED SINCE THE COURT DENIED MY REQUEST LAST MAY. I DISAGREE. SINCE THEN I HAVE SERVED NEARLY ANOTHER YEAR OF MY SENTENCE AND I HAVE ALSO EARNED 12 MORE MONTHS OFF MY SENTENCE THRU THE RESIDENTIAL DRUG ~~ABUSE~~ PROGRAM (RDAP). MY HOME CONFINEMENT DATE IS NOW ~~34~~ MONTHS SOONER. ANOTHER YEAR HAS PASSED WITH ME BEING INFRACTION FREE, SHOWING I CAN FOLLOW THE RULES AND ADHERE TO ANY CONDITIONS THE COURT MAY SET. I HAVE HAD 1 INFRACTION IN 4 YEARS AND THAT WAS BECAUSE OF MY SPINAL STENOSIS.

I HAVE TAKEN THE (RDAP) PROGRAM AND LEARNED HOW TO RATIONALLY CHALLENGE MYSELF AND MY BELIEFS BY DOING RATIONAL SELF ANALYSIS (RSA'S) IN THE MOMENT. I HAVE LEARNED TO HAVE EMPATHY FOR OTHERS AND NOW KNOW THAT MY BEHAVIORS WILL CAUSE RIPPLE EFFECTS TO EVERYONE AROUND ME.

I HAVE NOW SERVED A PORTION OF MY SENTENCE THAT WHEN COMBINED WITH SUPERVISED RELEASE WOULD BE "SUFFICIENT BUT NOT GREATER THAN NECESSARY" TO SERVE THE PURPOSES OF SENTENCING UNDER 3553(a). AT THIS POINT, THE PURPOSES OF SENTENCING ARE BEST SERVED BY ALLOWING ME TO TRANSITION TO SUPERVISED RELEASE AND/OR HOME CONFINEMENT SO I CAN BEGIN TO TRANSITION INTO THE COMMUNITY.

I HAVE ENCLOSED A COPY OF AN E-MAIL SHOWING

WHEN I REQUESTED COMPASSIONATE RELEASE IN NOVEMBER OF 2020, SHOWING THAT THE COURT DOES HAVE JURISDICTION. I HAVE PROVIDED DOCUMENTATION OF MY COPD. I ALSO HAVE A RARE AND EXTRAORDINARY CIRCUMSTANCE WHICH IS MY SPINAL CONDITION AND THE LACK OF TREATMENT OR SURGERY THAT I REQUIRE AND AM UNABLE TO RECEIVE WHILE IN BOP CUSTODY DURING THE PANDEMIC. THIS IS NOT GOING TO CHANGE AND I SUFFER WHILE NOT RECEIVING THE MEDICAL CARE I REQUIRE.

I FEEL THAT THE 3553 FACTORS WEIGH STRONGLY IN MY FAVOR. AS PREVIOUSLY STATED I CAN DO MANY MORE POSITIVE THINGS IF RELEASED AND WILL HAVE A GREATER IMPACT ON MY COMMUNITY AND THE FUTURE BY MENTORING MY CHILDREN AND PUTTING THEM ON THE RIGHT PATH. I WILL ALSO ASSIST AND CARE FOR MY MOTHER, WHO DESPERATELY NEEDS MY HELP NOW AND BECAUSE OF THIS THE BENEFITS OF MY RELEASE ARE GREATER THAN ANY POSSIBLE BENEFIT OF KEEPING ME INCARCERATED FOR ONE MORE YEAR.

THE GOVERNMENT HAS AGAIN GREATLY MISREPRESENTED THE STATE OF THINGS AT FCI FT. DIX. I DON'T KNOW HOW MANY INMATES IN EACH BUILDING HAVE CAUGHT COVID FOR THE SECOND TIME, BUT I CAN TELL YOU THAT 3 BUILDINGS HAVE BEEN LOCKED DOWN FOR THE SECOND TIME WITH RE-INFECTION. I CAN ALSO TELL YOU THE NUMBERS THE BOP SENDS ARE SKEWED BECAUSE THEY DO NOT TEST ALL OF THE INMATES WITH SYMPTOMS, NOR DO THEY TEST FOR 2 NEGATIVE TEST AFTER INFECTION AS PER (CDC) GUIDELINES.

I THANK THE COURT FOR TAKING THE TIME TO CONSIDER MY MOTION. I ASK FOR COMPASSION, NOT ONLY FOR MYSELF, BUT FOR MY FAMILY. THEY ARE THE ONES THAT HAVE SUFFERED BECAUSE OF MY POOR CHANCES AND I ASK YOU TO PLEASE ALLOW ME THE OPPORTUNITY TO TAKE CARE OF MY MOTHER IN HER TIME OF NEED AND TO FILL THE GAP I LEFT IN MY CHILDREN'S LIVES BY FULFILLING MY OBLIGATION AND DESIRE TO BE THE BEST SON, HUSBAND, AND FATHER I CAN POSSIBLY BE.

RESPECTFULLY SUBMITTED,
WESLEY DAVID GROSS 19188-084
Wesley David Gross

TRULINCS 19188084 - GROSS, WESLEY DAVID - Unit: FTD-S-C

FROM: AW Administrations
TO: 19188084 GROSS, WESLEY DAVID
SUBJECT: RE:***Inmate to Staff Message***
DATE: 11/29/2020 09:52 PM

By copy of this message, your request for Compassionate Release/Reduction in Sentence (RIS) was forwarded to the RIS Coordinators for review and follow up.

>>> ~^!"GROSS, ~^!WESLEY DAVID" <19188084@inmatemessage.com> 11/14/2020 9:04 AM >>>
To: WARDEN/RIS
Inmate Work Assignment: unassigned

Inmate Message Below

I would like to add some information to my earlier request for a compassionate release / reduction in sentence that I submitted on 11-13-20. I will live with my mother Joyce Gross at 1253 E front street Coeburn Va 24230. Her phone number is 276-708-8431. I am disabled and have Medicare to pay for my medical care. I will resume drawing my social security disability benefits. Since my last request my medical condition has become worse. I am having extreme pain. The conditions here have worsened as well as the corona virus has exploded onto this compound. I would also ask that you consider me for placement in home confinement for the duration of the pandemic as you are authorized to do under the CARES act. If you need anymore information please do not hesitate to reply.

>>> ~^!"GROSS, ~^!WESLEY DAVID" <19188084@inmatemessage.com> 11/13/2020 8:56 AM >>>
To: Warden/RIS
Inmate Work Assignment: unassigned

Inmate Message Below

I would like to apply for a reduction in sentence / compassionate release. I have a debilitating medical condition asthma, copd, emphysema when combined with the coronavirus outbreak makes it a danger to my health and wellbeing to remain here. I am 45 y/o no shots in the last year over 50% of my sentence and a low pattern score.

WESLEY DAVID GROSS 19188-084
FEDERAL CORRECTIONAL INSTITUTION
FCI FT. DIX
P.O. BOX 2000
JOINT BASE MDL, NJ 08640

TRENTON NJ 085

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OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
JUDGE JAMES P. JONES
180 WEST MAIN STREET ROOM 104
ABINGDON, VIRGINIA 24210

24210-255129

